

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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**No. 13-5091****September Term, 2013****1:12-cv-00815-ABJ****Filed On:** September 6, 2013

Roman Catholic Archbishop of Washington, et  
al.,

Appellants

v.

Kathleen Sebelius, in her official capacity as  
Secretary of the U.S. Department of Health  
and Human Services, et al.,

Appellees

**BEFORE:** Tatel, Griffith, and Kavanaugh, Circuit Judges

**ORDER**

Upon consideration of appellants' motion for preliminary injunction, the response thereto, and the reply, it is

**ORDERED** that the appeal with respect to the challenge to the old regulations be dismissed as moot. It is

**FURTHER ORDERED** that the motion for preliminary injunction challenging the new regulations be denied, as such relief should be sought in the first instance in the district court.

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

**Per Curiam**

**FOR THE COURT:**

Mark J. Langer, Clerk

BY: /s/  
Timothy A. Ralls  
Deputy Clerk